United Nations A/HRC/39/NGO/47

General Assembly

Distr.: General
30 August 2018

English only

Human Rights Council
Thirty-ninth session
10-28 September 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[21 August 2018]

* Issued as received, in the language(s) of submission only.

GE.18-14306(E)
1814306

Please recycle

Re-imposition of Sanctions, Continuation of Human Rights Violations by the United States

By August 7th 2018, the United States unilaterally re-imposed its sanctions on the Islamic Republic of Iran in an attempt to violate its obligation under the Joint Comprehensive Plan of Action (JCPOA) signed by Iran and G5+1 countries, including the United States. Donald Trump's government banned a huge amount of exports by Iran to the United States, including Iran carpet, Khaviyar and pistachio as sources of Iran income. Moreover, it expanded its sanctions to any none-US companies which trade with Iran. In addition, the sanctions prohibited the purchase of the United States dollar banknotes by the Iranian government. The ban has accelerated the decline of Iranian currency, Rial, against the dollar that led to the skyrocketing of prices of all essential items including food and medicine.

It is crystal clear to the world society that the United States decision will have negative impacts on all rights of Iranian people. The available literature on the effect of Unilateral Coercive Measures on Human Rights as well as the civil society first-hand information prove the unfair impact of sanctions on various sectors of targeted societies including, human rights, civilians' access to essential items, functioning of SWIFT[1] and banking system, poverty and economic growth, and the environment.

Human Rights

The studies conducted by Peksen on the impact of economic sanctions on human rights conclude that unilateral measures negatively affect the situation of human rights in the targeted countries. The study focused on the impact of economic sanctions on Latin American countries within the time period between 1981-2008. Using reliable sources of data the study found empirical evidence that sanctions do improve the level of protection in countries that were not targeted by sanctions[2].

Essential Items

The EU and US have always announced that medicine and medical equipment are exempt from sanctions, however, on the ground, comprehensive sanctions seriously limit the access of patients to medicine and medical care in various ways, such as, increasing the price of medicine and medical services, and decreasing the import of medicine into the targeted countries as a result of the sanctions put on the banking system leading to the scarcity of medicine in the market.

Our organization would like to note the findings of the Human Rights Council Advisory Committee report on the negative impact of unilateral coercive measures on the enjoyment of human rights (A/HRC/28/74):

"Although the United States of America and the European Union claim that the sanctions do not apply to humanitarian items, in actual fact they have deeply affected the delivery and availability of medical supplies. The import of medicines containing antibiotics (of types not produced inside the country) has decreased by 20.7 per cent, and prices have increased by more than 300 per cent. The estimated 20,000 persons suffering from thalassemia in the country receive only a few days of their monthly medicinal needs. Survivors of chemical weapons used during the war with Iraq in the 1980s, in need of medicine and equipment, including cornea transplants and inhalers, similarly suffer from a shortage or lack of medical supplies. In general, the medicines used to treat haemophilia, cancer, thalassemia, multiple sclerosis and kidney transplant and dialysis are not produced domestically, and of those that are, most are not as effective as those imported from Europe and North America. The shortage of medicine for such chronic diseases often leads to the death of the patient. In addition, every year, 85,000 Iranians are diagnosed with some form of cancer; the facilities for providing them with chemotherapy and radiotherapy are however scant. While the financial sanctions imposed on the Islamic Republic of Iran do not, in principle, cover medicine and medical equipment, they make it almost impossible for Iranian importers to finance the import of medical equipment and medicine. In particular, depriving the country of SWIFT services has made international payments to Western companies almost impossible. As a result, Western pharmaceutical companies – often the sole producers of these medicines – have all but stopped exporting to the Islamic Republic of Iran, and every year tens of thousands of patients die as a result. The economic sanctions have therefore led to a deterioration in living conditions. Those living in poverty and in marginalized areas suffer most from the effect of the sanctions."

[1] The Society for Worldwide Interbank Financial Telecommunication (SWIFT)

[2] http://www.scielo.br/pdf/rbpi/v57n1/0034-7329-rbpi-57-01-00197.pdf, p.210.

SWIFT and Banking System

The Iran SWIFT sanction was removed following the JCPOA, but on the ground, banking transactions using SWIFT remained limited to a small number of transactions, making it difficult for foreign companies to be engaged in trade with Iran.

Banking system sanctions lead to an increase in prices of all items. The sanction imposed on SWIFT limits access to imported fundamental items, also pave the way for Corruption and Money Laundering. The money prevented form legal channels flows into underground and illegal networks where lack of transparency leads to increase of corruption.

Poverty and Economic Growth

The right to development is seriously undermined by sanctions. According to the empirical research reports on the effect of sanctions on poverty, the poverty gap in targeted countries increases during sanction periods[3]. The first-hand information gathered by the civil society in targeted countries confirms the above mentioned findings on the relationship between poverty and unilateral coercive measures.

Decrease in Gross Domestic Product Per Capita[4] coupled with increase of inflation and unemployment rate add to the sufferings of the civilians in targeted counties and the vulnerable groups including the patients and the deprived people are the ones who would suffer the most.

Environment

When economic sanctions push citizens into poverty, it is unrealistic to expect them to care about issues such as deforestation or water resource quality. Therefore, there will be less concerns among civilians to protect the environment. For the state of sanction stricken countries, the destroyed economy is given priority over environmental concerns that justify the government focus to be drifted away from environmental issues.

In addition, economic sanctions limit the access of societies to modern, nature friendly technologies and leave them reliant on old fossil fuel based industries leading to escalation of environmental pollutions and increase of green-house gas emissions.

Recommendations

The adverse effects of UCMs on societies are numerous, a detailed explanation of which could be beyond the scope of the present statement. Considering the negative effects, proven by scientific studies and reiterated by the abundant United Nations' reports on UCM[5] , the ODVV would like to echo the concerns expressed by Mr. Idriss Jazairy, Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights, in his report to HRC 37 regarding UCMs.

ODVV urges the Human Rights Council to launch a registrar for the UCMs already in place, documenting their impact on human rights of the people of targeted countries.

ODVV urges the Human Rights Council to launch a compensation commission to provide the victims of UCMs with adequate remedy and redress, making the sanctioning countries to support the commission with necessary funding.

ODVV urges the United Nations' General Assembly and the members of international community to unanimously condemn, in a resolution, the imposition of economic sanctions on countries leading to sheer breaches of human rights of civilians, specially the vulnerable groups.

ODVV encourages the Human Rights Council to use the data entered to the special procedures' "urgent action", as well as special procedures' "communications" by UCM victims as documents requiring HRC's special attention.

ODVV encourages the Human Rights Council to mandate the advisory committee to study the methods of discouraging great powers to abuse their power against other countries in the world.

---

[3] https://econpapers.repec.org/article/eeedeveco/v_3a121_3ay_3a2016_3ai_3ac_3ap_3a110-119.htm

[4] http://www.ijhpm.com/article_3454_413e7c40127a45913385d0def29682a6.pdf

[5] https://www.ohchr.org/EN/Issues/UCM/Pages/Reports.aspx